

**PAULA T. DOW**

Attorney General of New Jersey  
Attorney for Complainant  
State of New Jersey  
Department of Law and Public Safety  
Division of Gaming Enforcement  
1300 Atlantic Avenue  
Atlantic City, New Jersey 08401

By: Robert A. Monerief Jr.  
Deputy Attorney General  
609-317-6218

STATE OF NEW JERSEY  
DIVISION OF GAMING ENFORCEMENT  
DOCKET NO. *11-0356-JS*

STATE OF NEW JERSEY, DEPARTMENT	)	
OF LAW AND PUBLIC SAFETY,	)	
DIVISION OF GAMING ENFORCEMENT,	)	
	)	
Complainant,	)	Civil Action
	)	
v.	)	COMPLAINT
	)	FOR FORFEITURE
THE AGGREGATE AMOUNT OF \$6,462.20	)	
IN GAMING WINNINGS THEORETICALLY	)	
OWED TO PATRONS IC, REW and DRH	)	
by TRUMP TAJ MAHAL ASSOCIATES,	)	
	)	
Respondent.	)	
	)	
	)	
	)	

Complainant, State of New Jersey, Department of Law and Public Safety,  
Division of Gaming Enforcement ("Division"), located at 1300 Atlantic Avenue, Atlantic City,  
New Jersey, 08401 says:

**COUNT I (IC)**

1. Respondent, Trump Taj Mahal Associates (hereinafter "TTMA") is a New Jersey enterprise having its principal place of business located at 1000 Boardwalk at Virginia Avenue, Atlantic City, New Jersey.

2. TTMA is the holder of a plenary casino license issued by the Casino Control Commission ("Commission") which authorizes TTMA to operate a casino hotel in accordance with the Casino Control Act and the regulations promulgated thereunder. TTMA has conducted its casino hotel operations at its facility pursuant to said license at all times referenced herein.

3. Respondent IC is a resident of New Jersey.

4. N.J.A.C. 19:48-2.2(a), at all times relevant hereto, provided that "[a]ny person may have his or her name placed on the self-exclusion list by submitting a request for self-exclusion in the form and manner required by this section." At all times relevant hereto, N.J.A.C. 19:48-2.1 defined "Self-exclusion list" as follows:

[A] list of names or persons who, pursuant to this subchapter, have voluntarily agreed to be excluded from all gaming activities and to be prohibited from

collecting any winnings or recovering any losses at all licensed casinos and simulcasting facilities.

N.J.A.C. 19:48-2.1 further defined "Self-excluded person" as "any person whose name is included, at his or her own request, on the self-exclusion list maintained by the Commission."

5. At all times relevant hereto, N.J.S.A. 5:12-71.3, which governs the forfeiture of winnings by persons prohibited from gaming in licensed New Jersey casinos or simulcasting facilities, provided in the relevant part:

a. A person who is prohibited from gaming in a licensed casino or simulcasting facility by any provision of P.L. 1977, c. 110 (C. 5:12-1 et seq.) or any order of the director, commission or court of competent jurisdiction, including any person on the self exclusion list pursuant to section 1 of P.L.2001, c. 39 (C.5:12-71.2), shall not collect, in any manner or proceeding, any winnings or recover any losses arising as a result of any prohibited gaming activity.

b. For the purposes of P.L. 1977, c. 110 (C. 5:12-1 et seq.), any gaming activity in a licensed casino or simulcasting facility which results in a prohibited person obtaining any money or thing of value from, or being owed any money or thing of value by, the casino or simulcasting facility shall be considered, solely for purposes of this section, to be a fully executed gambling transaction.

c. In addition to any other penalty provided by law, any money or thing or value which has been obtained by, or is owed to, any prohibited person by a licensed casino or simulcasting facility as a result of wagers made by a prohibited person shall be subject to forfeiture following notice to the prohibited person and opportunity to be heard. A

licensed casino or simulcasting facility shall inform a prohibited person of the availability of such notice on the division's Internet website when ejecting the prohibited person and seizing any chips, vouchers or other representative of money owed by a casino to the prohibited person as authorized by this subsection.

d. In any proceeding brought by the division against a licensee or registrant pursuant to section 108 of P.L. 1977, c. 110 (C. 5:12-108) for a willful violation of the commission's self exclusion regulations, the division may order, in addition to any other sanction authorized by section 129 of P.L. 1977, c. 110 (C.5:12-129), the forfeiture of any money or thing of value obtained by the licensee or registrant from any self-excluded person. Any money or thing of value so forfeited shall be disposed of in the same manner as any money or thing of value forfeited pursuant to subsection c. of this section.

6. On or about September 8, 2008, IC requested that his name be permanently placed on the self-exclusion list.

7. On or about September 9, 2006, the Commission notified all casino licensees, including TTMA s, that IC was a self-excluded person. Thereafter, TTMA caused IC to be identified as a self-excluded person within its computerized business records by amending a patron account in the name of IC to identify or "flag" IC as a self-excluded person.

8. On January, 7, 2009 a cage supervisor at TTMA notified security that IC, then a self excluded person, had cashed in at the main cage on two separate occasions for a total

of \$11,500. IC was not identified by cage personnel as an excluded person at the time the transactions occurred because both took place during a time at which TTMA's computer player rating system was offline for maintenance. When the computer system came back online IC was identified as a self-excluded person and TTMA surveillance notified security that IC was engaged in gaming at Table #14, Pit #8. Security then identified IC and at the time of his identification he was found to be in possession of \$500 in gaming chips.

9. As IC was a self-excluded person TTMA secured the \$500 in gaming chips, which amount is being held by TTMA at the main cage.

10. Based on the information set forth in Paragraphs 1 through 9, *supra*, IC is barred by N.J.S.A. 5:12-71.3a & d from collecting said \$500 in gaming winnings as he was prohibited from engaging in gaming activity at TTMA.

11. Based on the information set forth in Paragraphs 1 through 9 of this Complaint, the gaming activity which resulted in IC becoming a person theoretically owed said \$500 by TTMA shall be considered, pursuant to N.J.S.A. 5:12-71.3d, subject to forfeiture and be disposed of in the manner dictated by N.J.S.A. 5:12-71.3c.

WHEREFORE, Complainant demands the following relief:

A. Judgment that on or about January 7, 2009, IC was a person prohibited by

N.J.S.A. 5:12-71.3 and N.J.A.C. 19:48-2.2(a) from gaming;

B. Judgment that IC is barred by N.J.S.A. 5:12-71.3d from collecting the money or things of value, namely the \$500 seized by TTMA, seized as a result of his prohibited gaming activity at TTMA;

C. Judgment that the gaming activity which resulted in IC becoming a person theoretically owed said \$500 by TTMA shall be considered, pursuant to N.J.S.A. 5:12-71.3d, subject to forfeiture and be disposed of in the manner dictated by N.J.S.A. 5:12-71.3e;

D. Judgment ordering the forfeiture of said \$500 theoretically owed to IC by TTMA to the Division for disposition in accordance with the terms of N.J.S.A. 5:12-71.3e; and,

E. Judgment for such other and further relief as the Director may deem just and appropriate under the circumstances.

#### **COUNT II (REW)**

12. Complainant repeats Paragraphs 1 through 5 of Count I as if fully set forth herein.

13. Respondent REW is a resident of New Jersey.

14. On or about July 16, 2009, REW requested that his name be placed on the self-exclusion list for a term of 5 years. At all times relevant herein, REW was a self-excluded person.

15. On or about July 17, 2009, the Commission notified all casino licensees, including TTMA, that REW was a self-excluded person. Thereafter, TTMA caused REW to be identified as a self-excluded person within its computerized business records by amending a patron account in the name of REW to identify or "flag" IC as a self-excluded person.

16. On May 2, 2010, REW, then a self-excluded person, engaged in slot machine gaming at TTMA. REW won a slot machine jackpot in the amount of \$1,225 which amount required TTMA personnel to process the jackpot.

17. In processing the payment of the slot machine jackpot referred to in Paragraph 16, *supra*, TTMA personnel identified REW as a self-excluded person. TTMA personnel further determined that REW had credits on the slot machine at which he was gaming in the amount of \$40.

18. As REW was a self-excluded person TTMA declined to pay the jackpot. Said slot machine jackpot, together with the value of the slot machine credits, having a total value of \$1,265, is being held by TTMA at the main cage.

19. Based on the information set forth in Paragraphs 12 through 19, *supra*, REW is barred by N.J.S.A. 5:12-71.3a & d from collecting said \$1,265 in slot machine winnings and credits as he was prohibited from engaging in gaming activity at TTMA.

20. Based on the information set forth in Paragraphs 12 through 19 of this Complaint, the gaming activity which resulted in REW becoming a person theoretically owed said \$1,265 by TTMA shall be considered, pursuant to N.J.S.A. 5:12-71.3d, subject to forfeiture and be disposed of in the manner dictated by N.J.S.A. 5:12-71.3c.

WHEREFORE, Complainant demands the following relief:

A. Judgment that on or about May 2, 2010, REW was a person prohibited by N.J.S.A. 5:12-71.3 and N.J.A.C. 19:48-2.2(a) from gaming;

B. Judgment that REW is barred by N.J.S.A. 5:12-71.3d from collecting the money or things of value, namely the \$1,265 seized by TTMA, seized as a result of his prohibited gaming activity at TTMA;

C. Judgment that the gaming activity which resulted in REW becoming a person theoretically owed said \$1,265 by TTMA shall be considered, pursuant to N.J.S.A. 5:12-71.3d, subject to forfeiture and be disposed of in the manner dictated by N.J.S.A. 5:12-71.3c;



D. Judgment ordering the forfeiture of said \$1,265 theoretically owed to REW by TTMA to the Division for disposition in accordance with the terms of N.J.S.A. 5:12-71.3c; and,

E. Judgment for such other and further relief as the Director may deem just and appropriate under the circumstances.

**COUNT III (DRH)**

21. Complainant repeats Paragraphs 1 through 5 of Count I as if fully set forth herein.

22. Respondent DRH is a resident of New Jersey.

23. On or about May 17, 2005, DRH requested that her name be permanently placed on the self-exclusion list. At all times relevant herein, DRH was a self-excluded person.

24. On or about May 18, 2005, the Commission notified all casino licensees, including TTMA, that DRH was a self-excluded person. Thereafter, TTMA caused DRH to be identified as a self-excluded person within its computerized business records by amending a patron account in the name of DRH to identify or "flag" IC as a self-excluded person.

25. On November 27, 2010, DRH, then a self-excluded person, engaged in

slot machine gaming at TTMA. DRH won a slot machine jackpot in the amount of \$4,633 which amount required TTMA personnel to process the jackpot.

26. In processing the payment of the slot machine jackpot referred to in Paragraph 25, *supra*, TTMA personnel identified DRH as a self-excluded person. TTMA personnel further determined that DRH had credits on the slot machine at which she was gaming in the amount of \$64.20.

27. As DRH was a self-excluded person TTMA declined to pay the jackpot. Said slot machine jackpot, together with the value of the slot machine credits, having a total value of \$4,697.20, is being held by TTMA at the main cage.

28. Based on the information set forth in Paragraphs 21 through 27, *supra*, DRH is barred by N.J.S.A. 5:12-71.3a & d from collecting said \$4,697.20 in slot machine winnings and credits as she was prohibited from engaging in gaming activity at TTMA.

29. Based on the information set forth in Paragraphs 12 through 19 of this Complaint, the gaming activity which resulted in REW becoming a person theoretically owed said \$4,697.20 by TTMA shall be considered, pursuant to N.J.S.A. 5:12-71.3d, subject to forfeiture and be disposed of in the manner dictated by N.J.S.A. 5:12-71.3e.

WHEREFORE, Complainant demands the following relief:

A. Judgment that on or about November 27, 2010, DRH was a person prohibited by N.J.S.A. 5:12-71.3 and N.J.A.C. 19:48-2.2(a) from gaming;

B. Judgment that DRH is barred by N.J.S.A. 5:12-71.3d from collecting the money or things of value, namely the \$4,697.20 seized by TTMA, seized as a result of her prohibited gaming activity at TTMA;

C. Judgment that the gaming activity which resulted in DRH becoming a person theoretically owed said \$4,697.20 by TTMA shall be considered, pursuant to N.J.S.A. 5:12-71.3d, subject to forfeiture and be disposed of in the manner dictated by N.J.S.A. 5:12-71.3c;

D. Judgment ordering the forfeiture of said \$4,697.20 theoretically owed to DRH by TTMA to the Division for disposition in accordance with the terms of N.J.S.A. 5:12-71.3c; and,

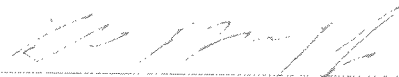
E. Judgment for such other and further relief as the Director may deem just and appropriate under the circumstances.

Respectfully submitted,

**PAULA T. DOW**

Attorney General of New Jersey

Dated: 4/8/11

By:   
Robert A. Moncrief Jr.  
Deputy Attorney General